

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Jaiden Buchan
345 W. Chocolate Avenue
Hershey, Pennsylvania 17033

Plaintiff,

v.

The Milton Hershey School, et al.
711 Crest Lane
Hershey, Pennsylvania 17033

Defendants.

NO.: 16-2557

JURY TRIAL DEMANDED

**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION TO
DISMISS VIA PLAINTIFF'S PRAECIPE FOR VOLUNTARY DISMISSAL, WITHOUT
PREJUDICE**

To the Clerk:

In response to Defendants' Motion to Dismiss, Plaintiff here praecipes the voluntary dismissal of his federal causes of action (Counts I & II), without prejudice.

As this Honorable Court no longer has federal/subject matter jurisdiction (in light of the above dismissal of all federal causes of action), Plaintiff further praecipes the voluntary dismissal of Plaintiff's Amended Complaint, without prejudice (and with leave to transfer/refile in the appropriate state court). FRCP 41.

WEISBERG LAW

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiff

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Hershey, Pennsylvania 17033	:	
	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, Matthew B. Weisberg, Esquire, hereby certify that on this 19th day of June, 2017, a true and correct copy of the foregoing Plaintiff's Response in Opposition to Defendants' Motion to Dismiss via Plaintiff's Praecipe for Voluntary Dismissal, Without Prejudice was served via ECF upon the following parties:

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WEISBERG LAW

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiff